



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 170-1	Subject: EXECUTIVE CLEMENCY
Chapter 170: EXECUTIVE CLEMENCY AND PARDONS	Page 1 of 1
Signature: /s/ Mary Fay	Revision Date: 10/12/01
	Effective Date: 06/01/00

I. BUREAU DIRECTIVE: Probation and Parole Bureau employees will follow established procedures for investigating and reporting requests for Executive Clemency.

II. AUTHORITY:
 46-23-301, M.C.A. *Cases of Executive Clemency*
 20.25.901, A.R.M. *Applications*

III. DEFINITIONS:
Executive clemency refers to the powers of the governor as provided by section 12 of Article VI of the constitution of Montana.

IV. PROCEDURES:
 Applications for Executive Clemency will be investigated for the Board of Pardons and Parole. Investigation reports will include all circumstances surrounding the crime for which the offender was convicted, social conditions of the offender prior to commission of the crime and current social conditions, including criminal history verification.

PROCEDURE:

1. Board of Pardons and Parole receives application requesting consideration for clemency.
2. Investigation Request is forwarded to District Probation/Parole Office nearest offender's current residence.
3. Clemency request is assigned for investigation.
4. Within 45 days the investigation is conducted and the "BOPP Executive Clemency Investigation" report is forwarded to BOPP.

RESPONSIBILITY:

Offender

 Board of Pardons & Parole

 Regional Administrator
 Probation & Parole Officer
 Regional Administrator

V. CLOSING: Questions concerning this procedure shall be directed to the Regional Administrator.

Form

BOPP Executive Clemency Investigation